

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

September 12, 2005

- C045276 THE PEOPLE v. URZICEANU (CERTIFIED FOR PUBLICATION)**
The conviction for conspiracy to sell marijuana (count three) is reversed...
The matter is remanded for a new trial.
ROBIE, J.
We Concur: Morrison, Acting P.J.
Hull, J.
- C049058 THE PEOPLE v. RETAMOZA (Not for Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Scotland, P.J.
Morrison, J.
- C045753 CORNEJO v. REGENTS OF THE UNIVERSITY OF CALIFORNIA (Not for Publication)**
The judgment is affirmed. Defendant is awarded its costs on appeal.
HULL, Acting P.J.
We Concur: Robie, J.
Butz, J.
- C043031 THE PEOPLE v. WERTH and THE PEOPLE v. TRUJILLO**
BY THE COURT:
Appellant's petition for rehearing is denied.
DAVIS, Acting P.J.
- C044535 SINGH v. LIPWORTH et al.**
BY THE COURT:
The "Request to Allow Appellant's Motion and Appellant's Motion to Set
Aside the Opinion of This Court, Alternatively, to Depublish the Opinion of This
Court," is denied.
DAVIS, Acting P.J.
- C047650 ALLEN, as Executor, etc. v. WELCH-BROWN**
BY THE COURT:
Appellant's petition for rehearing is denied.
SIMS, Acting P.J.

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The Minutes

September 13, 2005

- C045080 THE PEOPLE v. LAMKIN et al. (Not for Publication)**
The judgment of conviction against Cree for attempted voluntary manslaughter is reversed. In all other respects, the judgment against Cree is affirmed. The judgment against Lamkin is reversed.
NICHOLSON, J.
I concur: Hull, J.
For the reasons stated in the majority opinion, I concur that defendants' convictions for attempted voluntary manslaughter must be reversed and that Cree's remaining conviction for second degree murder should be affirmed...
Davis, Acting P.J.
- C046811 THE PEOPLE v. FOWLER (Not for Publication)**
The judgment is affirmed.
BLEASE, Acting P.J.
We Concur: Nicholson, J.
Cantil-Sakauye, J.
- C047026 THE PEOPLE v. FERNANDEZ (Not for Publication)**
The judgment is affirmed.
CANTIL-SAKAUYE, J.
We Concur: Scotland, P.J.
Davis, J.
- C047170 THE PEOPLE v. NOONKESTER (Not for Publication)**
The verdict is affirmed.
NICHOLSON, J.
We Concur: Davis, Acting P.J.
Hull, J.
- C047344 THE PEOPLE v. HILL (Not for Publication)**
The sentence is vacated. In all other respects, the judgment is affirmed...
NICHOLSON, J.
We Concur: Davis, Acting P.J.
Robie, J.
- C047804 THE PEOPLE v. DAVENPORT (Not for Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Blease, J.
Robie, J.

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The Minutes

September 13, 2005, continued

- C048118 THE PEOPLE v. SCHOEB (Certified for Partial Publication)**
We direct the trial court to modify the abstract of judgment... As so modified, the judgment is affirmed.
ROBIE, J.
We Concur: Nicholson, Acting P.J.
Cantil-Sakauye, J.
- C048791 THE PEOPLE v. MIRANDA (Not for Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Morrison, P.J.
Butz, J.
- C049262 THE PEOPLE v. TOTH (Not for Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Blease, J.
Robie, J.
- C049353 THE PEOPLE v. SCHULTZ (Not for Publication)**
The judgment is affirmed...
SCOTLAND, P.J.
We Concur: Blease, J.
Robie, J.
- C049604 THE PEOPLE v. GUTIERREZ (Not for Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Blease, J.
Robie, J.
- C046485 FULSTONE v. FULSTONE (Not for Publication)**
The order denying the petition to remove the trustee is affirmed. Costs on appeal are awarded to respondents.
NICHOLSON, Acting P.J.
We Concur: Morrison, J.
Hull, J.

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The Minutes

September 13, 2005, continued

C047380 BRUNIUS et al. v. PARRISH et al. (CERTIFIED FOR PUBLICATION)

The judgment dismissing the cross-complaint is affirmed...

SIMS, Acting P.J.

We Concur: Nicholson, J.

Butz, J.

**C047984 In re S.B.; SISKIYOU COUNTY DEPARTMENT OF HUMAN SERVICES v.
C049465 SANDRA B. (Not for Publication)**

The appeal in case No. C047984 is dismissed.

As to case No. C049465, the orders terminating parental rights are reversed and the matter is remanded to the juvenile court to comply with the notice provisions of ICWA...

NICHOLSON, Acting P.J.

We Concur: Raye, J.

Robie, J.

C044567 THE PEOPLE v. CHEK

BY THE COURT:

Appellant's petition for rehearing is denied.

Blease, Acting P.J.

C046032 THE PEOPLE v. DELHORNO

BY THE COURT:

Appellant's petition for rehearing is denied.

DAVIS, Acting P.J.

September 14, 2005

C047373 THE PEOPLE v. CHASTAIN et al. (Not for Publication)

The judgments are affirmed.

NICHOLSON, J.

We Concur: Davis, Acting P.J.

Robie, J.

C047529 THE PEOPLE v. WYATT (Not for Publication)

The judgment is affirmed.

MORRISON, Acting P.J.

We Concur: Butz, J.

Cantil-Sakauye, J.

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The Minutes

September 14, 2005, continued

**C049542 In re ADRIAN R. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH
AND HUMAN SERVICES v. VERONICA R.(Not for Publication)**

The orders terminating parental rights are reversed and the matters are
remanded...

MORRISON, J.

We Concur: Scotland, P.J.
Butz, J.

September 15, 2005

C042320 THE PEOPLE v. SMITH (Not for Publication)

The judgment is affirmed.

Raye, J.

We Concur: Nicholson, Acting P.J.
Hull, J.

C044994 THE PEOPLE v. ALDEN (Not for Publication)

The part of the judgment imposing an additional sentence of four years
pursuant to Penal Code sections 667, subdivision (b) - (i) and 667.5, subdivision
(b) is reversed... In all other respects, the judgment is affirmed.

RAYE, J.

We Concur: Blease, Acting P.J.
Nicholson, J.

C045454 THE PEOPLE v. DELETTRE (Not for Publication)

The judgment is affirmed.

Blease, Acting P.J.

We Concur: Hull, J.
Robie, J.

C048543 THE PEOPLE v. YOST (Not for Publication)

The judgment is affirmed.

RAYE, J.

We Concur: Nicholson, Acting P.J.
Robie, J.

C049020 THE PEOPLE v. DETRANT (Not for Publication)

The judgment is affirmed.

ROBIE, J.

We Concur: Scotland, P.J.
Blease, J.

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September 15, 2005, continued

- C049079 In re C.D.; SISKIYOU COUNTY HUMAN SERVICES DEPARTMENT v. DARREN D. (Not for Publication)**
The juvenile court's order terminating appellant's parental rights is affirmed.
NICHOLSON, Acting P.J.
We Concur: Raye, J.
Robie, J.
- C049294 In re R.F.; NEVADA COUNTY HUMAN SERVICES AGENCY v. KIMBERLY F. (Not for Publication)**
The judgment is affirmed.
Scotland, P.J.
We Concur: Sims, J.
Davis, J.
- C049157 CASTRONUEVO v. THE SUPERIOR COURT OF SACRAMENTO COUNTY and THE PEOPLE (Not for Publication)**
The petition for a writ of coram vobis and mandate is denied...
MORRISON, J.
We Concur: Sims, Acting P.J.
Raye, J.

September 16, 2005

- C048815 THE PEOPLE v. JIMENEZ (Not for Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Nicholson, Acting P.J.
Raye, J.
- C048902 THE PEOPLE v. PARHAM (Not for Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Nicholson, Acting P.J.
Raye, J.
- C050292 THE PEOPLE v. SUPERIOR COURT OF PLACER COUNTY and GARCIA (Not for Publication)**
Let a peremptory writ of mandate issue... Upon the finality of this decision, the stay previously issued is dissolved.
BLEASE, Acting P.J.
We Concur: Sims, J.
Hull, J.